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**INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE**
Seventh session
New York, 15-19(20) March 1993
Item 1 of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS, INCLUDING SUGGESTIONS FOR THE ORGANIZATION OF WORK

Note by the Executive Secretary

I. PROVISIONAL AGENDA

1. The provisional agenda for the seventh session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, proposed after consultation with the Chairman and the Bureau, is as follows:

1. Organizational matters:
   (a) Election of officers;
   (b) Adoption of the agenda;
   (c) Organization of work.

2. Matters relating to arrangements for the financial mechanism and for technical and financial support to developing country Parties (Working Group II):

   (a) Implementation of Article 11 (Financial mechanism), paras. 1-4;
   (b) Provision to developing country Parties of technical and financial support.

3. Procedural, institutional and legal matters (Working Group II):
   (a) Rules of procedure of the Conference of the Parties.

4. Status of signature and ratification of the Convention.

5. Future sessions of the Committee: calendar and priorities.

6. Review of the activities of the interim secretariat, including review of extrabudgetary funds.

7. Adoption of the report on the session.

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

2. By its resolution 47/195 of 22 December 1992, paragraphs 6 and 7, the General Assembly decided "that the Intergovernmental Negotiating Committee shall continue to function in order to prepare for the first session of the Conference of the Parties to the Convention, as specified in the Convention, and, in that context, to contribute to the effective operation of the interim arrangements set out in article 21 of the Convention"; invited the Committee "to implement expeditiously the plan of preparatory work drawn up at its sixth session"; and requested the Secretary-General "to make arrangements within the overall calendar of conferences for the Committee to hold sessions, in accordance with the needs of that plan".

3. Accordingly, arrangements have been made, with the concurrence of the Committee on Conferences, for the seventh session to be held at United Nations Headquarters, New York, from 15 to 19 March 1993, to be continued on 20 March if necessary. The session will be opened by the Chairman of the Committee on 15 March 1993, at 10.30 a.m., in a conference room to be announced.

1. Organizational matters

(a) Election of officers

4. At the opening of the sixth session of the Committee, the Chairman, Mr. Jean Ripert, announced that, for personal reasons, he intended to relinquish his position at the start of the seventh session. He also indicated the need to replace other officers of the Committee or its Working Groups who were vacating their posts for various professional reasons, namely, Mr. Chandrashekhar Dasgupta (Vice-Chairman), Mr. Ion Draghici (Vice-Chairman and Rapporteur) and Ms. Elizabeth Dowdeswell (Co-Chairman of Working Group II). The Committee stressed the need for timely consultations to facilitate the election of a new Chairman and of other officers as needed, at the start of the seventh session. It received two nominations for the post of Chairman. (See A/AC.237/24 and Corr.1, paras. 6, 54 and 55).

5. It is hoped that the Committee will elect a new Chairman and other officers as needed at the first meeting of the session, so that the work of the session may proceed without delay.

(b) Adoption of the agenda

6. The provisional agenda for the seventh session of the Committee is presented for adoption. A list of documents related to the agenda, as well as other documents available at the session, is contained in Annex I.

(c) Organization of work

(i) Participation

7. In paragraph 2 of its resolution 45/212 of 21 December 1990, the General Assembly decided that "the Intergovernmental Negotiating Committee should be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly." In paragraph 19 of the same resolution, the General Assembly invited "relevant non-governmental organizations to make contributions to the negotiating process, as appropriate".

8. In pursuance of the above, notification of the date and venue of the session has been communicated to the Permanent Missions of all participating States in Geneva and New York, as well as to observers.

(ii) Schedule of meetings

9. The scheduling of meetings for the session will be based on the availability of facilities. To meet the requests of certain delegations, it was agreed at the sixth session that afternoon meetings at the seventh session would end at 5.30 p.m. Consequently, arrangements have been requested for servicing two concurrent meetings with interpretation from 10.00 a.m. - 1.00 p.m. and 2.30 p.m. - 5.30 p.m. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these services fully by starting all meetings promptly at the scheduled time. A tentative schedule of meetings, proposed in consultation with the Chairman, is attached at Annex II. It assumes that the six days available for the session will be used.

(iii) Allocation of tasks

10. The Committee decided, at its sixth session, that it would focus its preparatory work primarily on those tasks specified in the Convention for action by the first session of the Conference of the Parties. These tasks would be clustered under three headings, namely: A. Matters relating to commitments; B. Matters relating to arrangements for the financial mechanism and for technical and financial support to developing country Parties; and C. Procedural, institutional and legal matters (A/AC.237/24, paras. 42-44). A number of related tasks for action by the Conference of the Parties may be taken up, as appropriate, in conjunction with tasks listed in the three clusters (A/AC.237/24, para. 46).

11. The Committee decided to assign these tasks to two working groups: Working Group I would deal with cluster A above and Working Group II would deal with clusters B and C (A/AC.237/24, para. 45). It was agreed that only the second of the two Working Groups would be convened at the seventh session, primarily to discuss matters relating to the implementation of Article 11 (Financial mechanism). It was further agreed to schedule the eighth session from 16 to 27 August 1993 in Geneva and to convene both Working Groups at that session (A/AC.237/24, para. 53).

2. Matters relating to arrangements for the financial mechanism and for technical and financial support to developing country Parties (Working Group II):

(a) Implementation of Article 11 (Financial mechanism), paras. 1-4

12. Article 11 of the Convention defines the purposes, functions and characteristics of the financial mechanism of the Convention, including its relationship to the Conference of the Parties, and provides that the operation of the mechanism "shall be entrusted to one or more existing international entities" (Article 11, paras. 1-2). It also provides for the Conference of the Parties and the operating entity or entities to agree on arrangements to give effect to the financial mechanism, specifying some of the modalities to be agreed (Article 11, para. 3). These provisions are to be implemented by the Conference of the Parties at its first session, which shall review the related interim arrangements and decide whether they shall be maintained (Article 11, para. 4).

13. These interim arrangements are set out in Article 21, paragraph 3, that entrusts the Global Environment Facility (GEF) of the United Nations Development Programme, the United Nations Environment Programme and the International Bank for Reconstruction and Development with the operation of the financial mechanism on an interim basis, provided that it is appropriately restructured and made universal. The operation of these interim arrangements will need to be considered under the present agenda item, so that the Committee may give timely indications of its views concerning relevant aspects of the ongoing restructuring of the GEF. It should be noted that the GEF plans to complete its restructuring by the end of its pilot phase, that is by the end of 1993, and that this target is related to the need to replenish the Facility with funds for its next phase. Contributions by the Committee to these deliberations in the GEF would be in accordance with General Assembly resolution 47/195, paragraph 6.

14. The secretariat will present a note on this sub-item highlighting matters for consideration by the Committee and providing information on the related work of the GEF (A/AC.237/26) and some selected GEF documentation (A/AC.237/26/Add.1, in English only). The Participants' Assembly of the GEF will meet on 4 and 5 March 1993, when it will give further consideration to governance issues related to the restructuring of the GEF. The secretariat will convey information on the outcome of that meeting to the Committee, up-dating the note if necessary and feasible in the time available. The Chairman of the Participants' Assembly of the GEF has been invited to make a statement at the start of the proceedings on this sub-item in Working Group II.

(b) Provision to developing country Parties of technical and financial support

15. Article 12, paragraph 7, of the Convention provides that "from its first session, the Conference of the Parties shall arrange for the provision to developing country Parties of technical and financial support, on request, in compiling and communicating information under this Article, as well as in identifying the technical and financial needs associated with proposed projects and response measures under Article 4. Such support may be provided by other Parties, by competent international organizations and by the secretariat, as appropriate".

16. Article 8, paragraph 2(c), provides for the Secretariat of the Convention "to facilitate assistance to the Parties, particularly developing country Parties, on request, in the compilation and communication of information required in accordance with the provisions of the Convention".

17. In the conclusions of its sixth session, the Committee "requested the Executive Secretary, in consultation with other concerned entities, to explore the best way of organizing a 'clearing house' for the exchange of information and experience on relevant technical and financial cooperation activities, bilateral and multilateral, including greenhouse gas inventories and country studies, and to report to the Committee" (A/AC.237/24, para. 51). This request was made in the context of paragraphs 8 and 9 of the draft resolution before the General Assembly, subsequently adopted as resolution 47/195; those paragraphs provide for the strengthening and coordination of activities to support the entry into force and implementation of the Convention. The Executive Secretary will report on progress in responding to this request; this information will be included in his report on secretariat activities (A/AC.237/28).

3. Procedural, institutional and legal matters (Working Group II):

(a) Rules of procedure of the Conference of the Parties

18. Article 7, paragraph 3, of the Convention provides that "the Conference of the Parties shall, at its first session, adopt its own rules of procedure as well as those of the subsidiary bodies established by the Convention...". According to Article 7, paragraph 2(k), these rules are to be adopted by consensus. The secretariat has prepared a document (A/AC.237/27) suggesting draft rules of procedure that could be of assistance to the Committee in dealing with this item. The suggested draft rules are modelled on the most recent set of rules of procedure for a conference of the parties to a convention, namely, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Changes have been made in this model in order to reflect the provisions and needs of the Framework Convention on Climate Change. The suggested draft provides that the rules of procedure of the Conference of the Parties shall apply mutatis mutandis to its subsidiary bodies.

4. Status of signature and ratification of the Convention

19. The Executive Secretary will inform the Committee of the status to date of signature and ratification of the Convention (A/AC.237/INF.10/Rev.1).

5. Future sessions of the Committee: calendar and priorities

20. The scheduled dates for the eighth session of the Committee are 16 to 27 August 1993, in Geneva. At that session, both Working Groups will be convened.

21. At the sixth session, the Committee requested the secretariat to make adequate provision for sessions of the Committee in the calendar for 1994 and to make proposals in this regard to its seventh session (A/AC.237/24, para. 53). Accordingly, it is proposed that the ninth session of the Committee be scheduled from 31 January to 11 February 1994 (ten regular working days) and the tenth session from 29 August to 7 September 1994 (eight working days), both in Geneva, the location of the secretariat. It should be noted that 8 and 9 September 1994 are holidays for the United Nations in Geneva and that, consequently, meeting facilities are not available on those days. Alternative dates available for the tenth session in Geneva are 12 to 23 September 1994 (ten working days); however, the General Assembly is due to start its forty-eighth regular session on 20 September 1994.

22. In adopting its work plan, the Committee stated that it should have an accelerated schedule and set priorities for each session, bearing in mind that the Convention might enter into force earlier than anticipated (A/AC.237/24, para. 45). As far as schedule is concerned, provision for two sessions of the Committee in the calendar for 1994 is precautionary and without prejudice to the date of entry into force of the Convention. It is prudent to reserve meeting facilities well in advance; they can be released if not needed. Moreover, the possibility that preparatory work for the first session of the Conference of the Parties may need to continue after the entry into force of the Convention should be kept in mind; so should the possibility that "related tasks" referred to in adopting the work plan will need to be taken up before the first session of the Conference of the Parties.

23. The question of priorities for future sessions of the Committee may be addressed initially as a matter of scheduling, by indicating when each of the tasks specified in the work plan should first be placed on the Committee's agenda and when intermediate outputs are needed from the Committee before the first session of the Conference of the Parties. Annex III to this document suggests such a scheduling of tasks. It provides for preparatory work for the Conference of the Parties to extend over three further sessions of the Committee; this is subject to the provisos in the preceding paragraph. It also envisages that the Committee may wish to prepare the provisional agenda and the organization of work of the first session of the Conference of the Parties.

6. Review of the activities of the interim secretariat, including review of extrabudgetary funds

24. The Executive Secretary will report on the state of the provisions for the interim secretariat in the regular United Nations Programme Budget and on other administrative action in pursuit of General Assembly resolution 47/195. This information will take account of the integration of the interim secretariat in the newly-established Department of Policy Coordination and Sustainable Development of the United Nations Secretariat.

25. The Executive Secretary will also provide information on current activities of the interim secretariat. This report will include an update on the proposal by the secretariat and UNITAR for an information and training programme, to be organized jointly with UNDP, GEF and IPCC, to support the implementation of the Convention (A/AC.237/24, para. 52). It will also cover action taken to explore the "clearing house" idea described under item 2(b), paragraph 17 above and will describe collaboration between the secretariat and the UNEP/WMO Information Unit on Climate Change.

26. The Executive Secretary will report to the Committee on the state and needs of the two extrabudgetary funds established under General Assembly resolution 45/212, paragraphs 10 and 20, respectively, the special voluntary fund to support the participation of developing countries in sessions of the Committee and the trust fund for the negotiating process to provide for secretariat costs. By its resolution 47/195, paras. 15 and 16, the General Assembly requested the Secretary-General to maintain these two funds; they will be needed up to and including the first session of the Conference of the Parties.

27. The Executive Secretary will present a document shortly before the session containing the latest available information on the above-mentioned matters (A/AC.237/28). He will supplement this information orally at the session.

7. Adoption of the report on the session

28. A draft report on the work of the session will be prepared for consideration by the Committee, in accordance with established practice. Given the shortage of time during the session, the proceedings of the final days will be incorporated in the report after the session.

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ANNEX I

List of documents for the seventh session of the Committee

Documents for the session

A/AC.237/18 (Part II)/ Add.1 and Corr.1	United Nations Framework Convention on Climate Change
A/AC.237/24 (and Corr.1 in English only)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its sixth session, held at Geneva from 7 to 10 December 1992
A/AC.237/25	Provisional agenda and annotations, including suggestions for the organization of work
A/AC.237/26 (and Add.1 in English only)	Implementation of Article 11 (Financial Mechanism): Note by the secretariat
A/AC.237/27	Rules of procedure of the Conference of the Parties: Note by the secretariat
A/AC.237/28	Review of the activities of the interim secretariat, including review of extrabudgetary funds: Note by the Executive Secretary
A/AC.237/INF.10/Rev.1	Dates of signature and ratification of the United Nations Framework Convention on Climate Change

Other documents available at the session for reference purposes

A/AC.237/5	Rules of procedure of the Committee
A/AC.237/6 and Corr.1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its first session, held at Washington, D.C., from 4 to 14 February 1991
A/AC.237/9	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its second session, held at Geneva from 19 to 28 June 1991
A/AC.237/12 and Corr. 1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its third session, held at Nairobi from 9 to 20 September 1991

A/AC.237/15 and Corr. 1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its fourth session, held at Geneva from 9 to 20 December 1991
A/AC.237/18 (Part I)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of the first part of its fifth session, held at New York from 18 to 28 February 1992
A/AC.237/18 (Part II)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of the second part of its fifth session, held at New York from 30 April to 9 May 1992
A/AC.237/INF.12	Communications received in accordance with General Assembly resolution 47/195, paragraph 4: Note by the secretariat

General Assembly resolutions

45/212	Protection of global climate for present and future generations of mankind (21 December 1990)
46/169	Protection of global climate for present and future generations of mankind (19 December 1991)
47/195	Protection of global climate for present and future generations of mankind (22 December 1992)

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ANNEX II

Tentative schedule of work

Monday, 15 March

10.30 A.M.	Plenary	Opening of the session	
		Item 1:	Organizational matters: (a) Election of officers (b) Adoption of the agenda (c) Organization of work
		Item 4:	Status of signature and ratification of the Convention
P.M.	Plenary	Continuation of items 1 and 4, if needed	
	WG II	Item 2(a):	Implementation of Article 11 (Financial mechanism)

Tuesday, 16 March

A.M. and P.M.	WG II	Item 2(a):	Implementation of Article 11 (Financial mechanism) (continued)

Wednesday, 17 March

A.M.	Plenary	Item 6:	Review of the activities of the interim secretariat, including review of extrabudgetary funds
	WG II	Item 2(a):	Implementation of Article 11 (Financial mechanism) (continued)
P.M.	WG II	Item 2(b):	Provision to developing country Parties of technical and financial support
		Item 3(a):	Rules of procedure of the Conference of the Parties

.../...

Thursday, 18 March

A.M.	Plenary	Item 5:	Future sessions of the Committee: calendar and priorities
	WG II	Item 2(a):	Implementation of Article 11 (Financial mechanism) (continued)
P.M.	WG II	Item 2(a):	(continued)

Friday, 19 March

A.M. and P.M.	WG II	Conclusions and guidance for further work on items 2(a), 2(b) and 3(a)

Saturday, 20 March

A.M.	Plenary	Item 5:	Future sessions of the Committee: calendar and priorities (conclusions)
P.M.	Plenary	Item 7:	Adoption of the report on the session

Note: The above schedule is drawn up on the hypothesis that the six days available for the session will be used. Should only five days be used (15-19 March), the programme indicated above for Thursday, 18 March could be eliminated and those for 19 and 20 March brought forward by one day.

ANNEX III

Preparatory work for first session of Conference of the Parties
Suggestions concerning scheduling of tasks for sessions of INC/FCCC

		Session / Scheduled Dates				
Task	Short Title	INC VII 15-19(20)3.93	INC VIII 16-27.8.93	INC IX 31.1-11.2.94*	INC X 29.8-7.9.94*	Notes
A.1	Methodologies		o	♦	.....	First conclusions early 1994 to allow for preparation of first communications by developed country Parties after entry into force
A.2	Joint Implementation		o	♦	.....	Ditto
A.3	First review of information		o		.....	
A.4	Review of adequacy				o.....	
B.1	Financial mechanism	o	♦	.....	.....	First conclusions before end 1993 to contribute to restructuring and replenishment of GEF
B.2	Technical/ financial support	o			.....	(Continuing information item for INC)
B.3	Maintenance of interim arrangements				o.....	
C.1	Rules of procedure	o	♦			Draft rules of procedure could be completed well in advance of COPI
C.1	Financial rules			o	.....	Financial rules need to be considered with secretariat budget
C.2	Permanent secretariat			o	.....	Secretariat arrangements may best be made in light of United Nations Programme Budget 1994-95
C.3	Multilateral consultative process			o	.....	(Consideration beyond COP I likely)
	Agenda and organization of work for COP I				o.....	

* Provisional dates